



IN THE
TENTH COURT OF APPEALS

No. 10-19-00215-CV

IN THE MATTER OF J.R., A JUVENILE

From the 74th District Court
McLennan County, Texas
Trial Court No. 2015-110-J

MEMORANDUM OPINION

Appellant J.R. appeals from an order transferring him from the Texas Juvenile Justice Department to the Texas Department of Criminal Justice to complete his sentence. We affirm the trial court's judgment.

J.R.'s appointed counsel has filed a first amended motion to withdraw and an *Anders* brief in support of the motion asserting that he has diligently reviewed the appellate record and that, in his opinion, the appeal is frivolous.¹ *See Anders v. California*,

¹ Shortly after receiving counsel's initial motion to withdraw, we issued an order, notifying counsel that the motion contained an error and ordering counsel to file an amended motion to withdraw correcting the

386 U.S. 738 (1967); *In re D.A.S.*, 973 S.W.2d 296, 299 (Tex. 1998) (original proceeding) (applying *Anders* to juvenile proceedings). Counsel's brief evidences a professional evaluation of the record for error and compliance with the other duties of appointed counsel. We conclude that counsel has performed the duties required of appointed counsel. See *Anders*, 386 U.S. at 744; *High v. State*, 573 S.W.2d 807, 812 (Tex. Crim. App. 1978); see also *Kelly v. State*, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403, 407 (Tex. Crim. App. 2008).

In reviewing an *Anders* appeal, we must, “after a full examination of all the proceedings, ... decide whether the case is wholly frivolous.” *Anders*, 386 U.S. at 744; see *Penson v. Ohio*, 488 U.S. 75, 80 (1988); accord *Stafford v. State*, 813 S.W.2d 503, 509-11 (Tex. Crim. App. 1991). An appeal is “wholly frivolous” or “without merit” when it “lacks any basis in law or fact.” *McCoy v. Court of Appeals*, 486 U.S. 429, 439 n.10 (1988). After a review of the entire record in this appeal, we have determined the appeal to be wholly frivolous. See *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). Accordingly, we affirm the trial court's judgment.

Counsel's first amended motion to withdraw from representation of J.R. is granted.

issue within twenty-one days of the date of the order. Counsel promptly filed a first amended motion to withdraw correcting the issue.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Neill

Affirmed; motion granted

Opinion delivered and filed March 23, 2020

[CV06]

